CLASSIFICATION OFFICE DECISION

Title of publication:	Malou072.jpg
Other known title(s):	Not stated
OFLC ref:	0901030.000
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	The District Court at Manukau
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	18 August 2009
Date of direction to issue a label:	No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file is deemed objectionable because it promotes and supports the exploitation of young persons for sexual purposes.

The image depicts a naked Asian girl, who appears to be in her early to mid-teenage years, displaying her genitals for the camera. The purpose of the image is to sexually titillate or arouse adults with a sexual interest in young people. Such material encourages viewers to see young teenagers as sexually desirable and available for adult sexual gratification. The effect is to encourage their sexual exploitation.

The classification of this publication interferes with the freedom of expression as set out in the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to protect vulnerable young people from exploitation.